

US DISTRICT COURT DEPARTMENT  
MASSACHUSETTS DIVISION  
DOCKET #: 1:05-cv-10434-GAO

RIZZARI CONSTRUCTION , )  
Plaintiff )

v. )

GRANITE INDUSTRIAL GASES )  
INC., and TODD MILLER, )  
individually )

Defendants )

**ASSENTED MOTION TO CONTINUE**

Now comes the plaintiff and respectfully requests that this honorable court continue the  
**mediation scheduled for June 26, 2008 at 10:30am until September 9, 2008.** As reasons  
therefore, the plaintiff states the following:

1. Attorneys are currently engaged in negotiations.
2. Attorneys are continuing discovery which may resolve the matter.
3. The Defendant's attorney has been notified of this motion and assents.

Respectfully Submitted,  
Granite Industrial Gases Inc. and  
Todd Miller  
By Their Attorney,

Respectfully Submitted,  
Rizzari Construction,  
By Its Attorney,

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Dated: June 23, 2008